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ACTION AF-01

INFO	LOG-00	AID-01	AMAD-01	CIAE-00	OASY-00	DODE-00	EB-01
	EUR-01	H-01	TEDE-00	INR-00	IO-16	L-01	ADS-00
	NSAE-00	NSCE-00	OIC-02	PA-01	PRS-01	P-01	SP-00
	SR-00	SS-00	STR-01	TRSE-00	USIE-00	PRME-01	DRL-09
	G-00	/039W					

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O 281248Z JUL 94  
FM AMEMBASSY DAR ES SALAAM  
TO SECSTATE WASHDC IMMEDIATE 5390  
INFO USMISSION GENEVA  
USMISSION USUN NEW YORK  
AMEMBASSY LONDON  
AMEMBASSY MADRID  
AMEMBASSY NAIROBI  
AMEMBASSY KAMPALA  
AMEMBASSY KINSHASA

C O N F I D E N T I A L SECTION 01 OF 02 DAR ES SALAAM 004815

STATE FOR AF/E, OLIVER GRIFFITH

E.O. 12356: DECL:OADR  
TAGS: PHUM, RW, TZ  
SUBJECT: RWANDA WAR CRIMES DEMARCHE: MINISTER OF  
HOME AFFAIRS REACTION AND PITCH FOR FINANCIAL AID

REF: A.) STATE 198348; B.) DAR ES SALAAM 4523  
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1. CONFIDENTIAL -- ENTIRE TEXT.

2. CHARGE MET TODAY WITH MINISTER OF HOME AFFAIRS,  
AUGUSTINE MREMA TO PRESENT DEMARCHE PER REF A  
INSTRUCTIONS. ALSO PRESENT WAS JOHNSON BRAHIM, HEAD  
OF THE MINISTRY'S REFUGEE SECTION. CHARGE NOTED THAT  
THE UNSC HAD AUTHORIZED THE ESTABLISHMENT OF A

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COMMITTEE OF EXPERTS TO INVESTIGATE THE VIOLATION OF INTERNATIONAL HUMANITARIAN LAWS WHICH MAY HAVE OCCURRED IN RWANDA. THIS COULD BE FOLLOWED BY THE FORMATION OF A WAR CRIMES TRIBUNAL. AS THE MINISTRY MOST DIRECTLY INVOLVED IN THE ISSUE OF REFUGEE CAMP SECURITY, CHARGE ASKED THE MINISTER IF THE GOT HAS THE REQUISITE LEGAL AUTHORITY TO DETAIN THOSE SUSPECTED OF HAVING COMMITTED MURDERS IN RWANDA.

3. MREMA INITIAL RESPONSE WAS DEFENSIVE. HE CITED CHARGES BY "MANY" THAT TANZANIA IS HARBORING CRIMINALS IN THE REFUGEE CAMPS. HOWEVER, HE ARGUED, TANZANIA HAD BEEN CONFRONTED WITH A HUGE INFLUX OF REFUGEES AND HAD HAD TO ACCEPT THEM ALL--EVEN THOSE CRIMINALS USING THE OPPORTUNITY TO FLEE FROM RWANDA. WHAT, HE ASKED, IS THE EVIDENCE TO BE USED AGAINST SUSPECTED MURDERERS? EACH SIDE, TUTSI AND HUTU, ACCUSES THE RIVAL TRIBE OF KILLINGS. WHO IS TO BE BELIEVED?

4. FURTHER, MREMA CONTINUED, THE GOT DOES NOT WANT TO ARREST PERSONS WITHOUT THE LEGAL MEANS TO TRY THEM. IF, HOWEVER, THE U.N. WERE TO ESTABLISH SOME LEGAL MACHINERY, SUCH AS A WAR CRIMES TRIBUNAL, WHICH WOULD BE RECOGNIZED INTERNATIONALLY, THEN TANZANIA WOULD

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COOPERATE. UNDER THIS LEGAL MECHANISM, TANZANIA, HE ASSURED, WOULD WORK HAND-IN-HAND WITH THE INTERNATIONAL COMMUNITY TO BRING CRIMINALS BEFORE THE LAW SO JUSTICE COULD TAKE PLACE.

5. CHARGE WELCOMED MREMA'S RESPONSE AND ASKED IF THE GOT WOULD BE PREPARED TO DETAIN SUSPECTED CRIMINALS, SAY AS EARLY AS IN THE NEXT FEW DAYS, PENDING THE ESTABLISHMENT OF A TRIBUNAL AND THE RESULTS OF ITS INVESTIGATIONS. BRAHIM REPLIED THAT THE GOT'S VIEWS ARE THAT THIS WOULD ONLY CAUSE CHAOS IN THE CAMPS. HE THEN REFERRED TO THE RIOT WHICH BROKE OUT OVER GATETE AT BENACO--AND ALL THE UNHCR HAD WANTED TO DO WAS MOVE GATETE. BRAHIM, HOWEVER, INDICATED THAT THE GOT WOULD CONSIDER SOME LEGAL INSTRUMENT WHICH COULD BE CREATED TO ENABLE THE GOT TO HAND OVER SUSPECTED CRIMINALS IMMEDIATELY, COMPARABLE TO EXTRADITION. ANOTHER IDEA BRAHIM OFFERED WAS TO DECLARE A GENERAL AMNESTY IN RWANDA, HAVE THE REFUGEES RETURN AND LATER EXTRADITE

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THE SUSPECTED CRIMINALS BASED ON EVIDENCE GATHERED  
AGAINST THEM.

MINISTER MAKES SECOND PITCH FOR AID TO SECURITY FORCES  
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6. MREMA TOOK OPPORTUNITY TO FOLLOW UP ON HIS EARLIER  
REQUEST FOR AID TO SECURITY FORCES (REF B). THE  
MINISTER COMPLAINED THAT DONOR GENEROSITY TO THE  
RWANDAN REFUGEES NOTWITHSTANDING, LITTLE INTERNATIONAL  
ATTENTION IS BEING PAID TO THE PROBLEM OF SECURITY  
CAUSED BY THE MASSIVE INFUX OF REFUGEES. THE HOME

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AFFAIRS MINISTRY HAD DISPATCHED 300 EXTRA POLICE TO  
ENHANCE SECURITY AT THE REFUGEE CAMPS BUT WAS CRIPPLED  
BY ITS INABILITY TO PROVIDE SERVICES FOR THEM. THE  
GOT LACKED THE MONEY (APPROX. USD 1.2 MILLION) FOR THE  
VEHICLES, FUEL, TENTS AND ALLOWANCES NEEDED BY THE  
POLICE. WHILE THE POLICE HAD CONFISCATED 80 GUNS  
(PISTOLS, RIFLES, MACHINE GUNS) BROUGHT IN BY THE  
REFUGEES, MANY WEAPONS WERE BEING HIDDEN AND RETAINED  
BY THE REFUGEES. THE MINISTER FEARED THAT WITH TIME  
THESE GUNS WILL WIND UP IN THE WRONG HANDS AND CRIME  
WILL ESCALATE IN THESE AREAS. FOREIGNERS  
COULD BECOME  
THE FIRST TARGET AS THIEVES ASSOCIATE THEM WITH  
MONEY. BRAHIM MENTIONED THAT A DANE HAD BEEN KILLED  
EARLIER THIS YEAR IN A REFUGEE AREA.

7. IF THE SECURITY FORCES WERE PROVIDED WITH MONEY,  
HOWEVER, THEN POLICE COULD OFFER REFUGEES AND LOCALS  
MONEY TO HAND OVER WEAPONS OR TO GIVE INFORMATION  
WHICH COULD LEAD THE POLICE TO CONFISCATE THESE ARMS.  
THIS HAD WORKED VERY WELL IN THE PAST.

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8. AS HE HAD ON JULY 14 (REF B), CHARGE RESPONDED  
THAT HE WOULD NEED A FORMAL REQUEST FROM THE MINISTRY,  
WITH SPECIFICS SUCH AS BUDGETS, BEFORE HE COULD RELAY  
TANZANIA'S REQUEST TO WASHINGTON FOR POSSIBLE  
CONSIDERATION. BRAHIM ASSURED THAT HE COULD PRODUCE  
THIS WITHIN A FEW DAYS. BRAHIM ALSO CLARIFIED THAT AS  
ENVISIONED BY THE MINISTRY, THE TANZANIAN DEFENSE  
FORCES, THE TPDF, WOULD JOIN FORCES WITH THE POLICE TO  
CARRY OUT TYPICAL POLICE DUTIES IN THESE AREAS .  
ALTERNATIVELY, THE TPDF COULD BE ASSIGNED TO PATROL  
THE BORDER AND DISARM NEW ARRIVALS, WITH THE POLICE  
HANDLING NORMAL LAW AND ORDER DUTIES.

9. COMMENT: THE MINISTER'S RESPONSE ON DETENTION OF

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SUSPECTED CRIMINALS AND THE REQUEST FOR FINANCIAL ASSISTANCE FOR SECURITY FORCES REPRESENTS THE PERSPECTIVE OF THE HOME MINISTRY. ITS RESPONSE IS NOT NECESSARILY THE DEFINITIVE GOT POSITION. CHARGE IS STILL AWAITING A MEETING WITH THE FOREIGN MINISTRY WHICH MAY HAVE DIFFERENT VIEWS AND WHICH IS MORE LIKELY TO CONVEY THE AUTHORITATIVE GOT STANCE. HE WILL REPORT ON THE RESULTS OF THIS MEETING WHEN IT TAKES PLACE. BROWNING

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